



# Prohibition on Remarriage

## Preliminary Report

LEOFF Plan 2 Retirement Board

November 18, 2009

# Issue Description

---

- Surviving spouses who are receiving Workers' Compensation death benefits cannot continue to receive the benefit after remarriage.

# Background Summary

---

- Inconsistency in remarriage policy
- Survivor Retirement Benefits not affected by remarriage
- Survivor Workers' Compensation benefits affected by remarriage when death related to occupational injury or disease

# Key Issues

---

- Survivors penalized for remarriage
  - Face financial and moral/lifestyle decisions
  - Retroactive application to remarried survivors
- Affects more than just LEOFF Plan 2
- L&I issue/coordination of policy development

# 2007-08 Legislation

---

- Allow L2 Survivor to remarry without loss of benefits (HB 1545 – Rep Kirby)
  - Cost – HB 1545 Fiscal Note
    - 07-09: \$201,662
    - 09-11: \$ 21,536
    - 11-13: \$ 21,536
- House Passed; Stalled in Senate Rules

# 2009 Legislation

---

- Allow LEOFF Plan 2 Survivor to remarry without loss of benefits (HB 1212– Rep Kirby)
  - Cost – HB 1212 Fiscal Note
    - 09-11: \$637,000
    - 11-13: \$56,000
    - 13-15: \$56,000
- House Passed; Senate Passed (Amended)
- Conference Committee

# 2009 Interim

---

- Letter to Director of L&I from Legislature
  - Should benefits continue
  - Policy history and reasons
  - Cost and impact on rates
  - Cost offsets/program savings
  - Number of spouses receiving benefits
  - Number of remarriages
  - Assumptions of additional survivors and remarriage
  - Treatment of public safety in other states

# Other States

---

- Four other states do not terminate benefits upon remarriage
  - Kansas
  - Minnesota
  - Nevada
  - North Dakota



# Prohibition on Remarriage

---

Questions?